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C O N F I D E N T I A L OTTAWA 003741

SIPDIS

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SUBJECT: CANADA'S CONTINUING CONCERNS OVER RUSSIAN NGO LAW

REF: A. (A) SECSTATE 229260

[B.](#) (B) 05 OTTAWA 03650

[C.](#) (C) 05 OTTAWA 222292

Classified By: POLMINCOUNS Brian Flora, Reasons 1.4 (B) and (D)

[1.](#) (U) Poloff delivered reftel to Gilles Breton, Deputy Director of the Eastern Europe and Balkans Division at Foreign Affairs Canada (FAC) on 22 December 2005 and shared the USG talking points prepared for delivery in Moscow.

Transparency Limits Corruption Potential

[2.](#) (C) Breton confirmed Canada's continuing concerns about several aspects of the current legislation, particularly the vagueness of the language about political activity. He reiterated (reftel B) the importance of both a broad and consistent interpretation of "political activity," and one that reaches beyond the major cities to the regional centers where NGO activity also occurs. Lack of clarity in interpretation and application raises the risks of already-present corruption and should be avoided at all costs. Breton noted that Canadian Embassy officials are expected to meet with DOS counterparts today on the issue.

January G-8 Preparatory Meetings Offer an Opportunity

[3.](#) (C) Breton said that the Canadian government is likely to take a two-pronged approach: 1) Canadian lawyers will scrutinize the text of the legislation to identify problematic provisions and 2) Canadian representatives attending the Sherpa planning meetings in Moscow on January 18 and 19 will use that opportunity to make known the GoC's views about the legislation. He suggested that a concerted message from each of the G-7 members at that time would be more effective than a collective demarche and noted that a more vocal European stance, particularly from the British who have had experience in conforming their domestic law with that of the European Convention on Human Rights, would be helpful. The upcoming slow-down for the holiday period -- likely through Eastern Orthodox Christmas -- provides a window of opportunity, even if the legislation passes its Third Reading in the next few days.

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WILKINS